

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

MA & UD DEPT., -Anantapur Municipal Corporation – Allotment of alternate land as compensation to Dr. K. Sukumar, Anantapur as per the Court direction in W.P.No.309/2007 -Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (J1) DEPARTMENT

G.O.Ms.No. 461

Dated:10.10.2011.

Read the following:-

1. From the Commissioner, Municipal Corporation, Anantapur Lr.No.5400//93/G1, Dated 12.4.2006.
2. Govt. Memo No.1805/J1/2006-1, Dated:21.11.2006.
3. From the G.P. for MA&UD, APHC, Lr.No.W.P.No.309/ 2007/ MA&UD/V.CH.N, Dt:11.02.2011.
4. Govt. Memo No.3755/J1/2011, Dated 14.02.2011.
5. Hon'ble APHC, orders in.W.P.No.309/2007 Dt.7.03.2011.
6. Govt. Memo No.3755/J1/2011, Dated 29.03.2011.
7. Representation of Dr. K. Sukumar, Anantapur, Dt.15.04.2011.
8. From the DTCP. Lr.Roc.No.849/07/A, Dated 22.06.2011.
9. From the G.P. for MA&UD, APHC, Lr.No.W.P.No.309/ 2007/ MA&UD/V.CH.N, Dt:25.06.2011.
10. From the DTCP. Lr.Roc.No.849/07/A, Dated 30.06.2011.

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ORDER:-

In the reference 1st read above, the Commissioner, Anantapur Municipal Corporation has furnished the proposals to the Government for approval for allotment of alternative site to Dr. K. Sukumar as compensation for the land utilized to an extent of acres 0.56 in Sy.No.1997/1 in Anantapur for formation of 80' feet road, in the layout plot No.600/82 which is an open space.

2. In view of the orders issued in GO.Ms.No.72, MA, dated 20.02.2002, in the reference 2nd read above, the proposal for allotment of alternate site in an open space is rejected by the Government.

3. Aggrieved by the above orders, Dr. K. Sukumar, S/o.Katta Narayana Setty filed WP.No.309/2007 and the Hon'ble APHC., in its order Dt.7.03.2011 has allowed the writ petition.

4. In the reference 6th read above, the Director of Town & Country Planning, Hyderabad/Commissioner, Anantapur Municipal Corporation has been requested to file an appeal in this matter.

5. In the reference 7th read above, Dr. K. Sukumar, Anantapur, has requested the Municipal Commissioner, Anantapur Municipal Corporation to allot alternate land of equal value basing on the market value register of the Registrar Office of Anantapur.

6. The Director of Town & Country Planning, Hyderabad in the reference 8th read above, has reported that the Commissioner, Anantapur Municipal Corporation has requested the Government to accord necessary approval for allotment of open space in LP No. 600/82 in favour of Dr. K. Sukumar as per Court direction. The DTCP has requested the G.P. for legal opinion to file an appeal on the Judgment issued in W.P.No.309/2007. The G.P. for MA&UD has opined that the petitioner himself agreed to take an alternative land of equal value without insisting for the land as per resolution Dt.31.07.1996 which contemplates the allotment of open space. Only to this limited extent, the writ

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appeal can be filed and the Anantapur Municipal Corporation may proceed to allot the alternative land other than open space in L.P.No.600/82 as per the request contained in the representation of the petitioner 7th read above.

7. Government after re-examination of the entire matter and after careful consideration and in supersession of the orders issued in the Govt. Memo 2nd read above, hereby permit the Ananthapur Municipal Corporation to allot alternative land of equal value as compensation to Dr. K. Sukumar, Anantapur for the land utilized to an extent of acres 0.56 in Sy.No.1997/1 in Anantapur for formation of 80' feet road. The land to be allotted should be of category which can be allotted i.e., not open space or prohibited lands. If required, Commissioner, Ananthapur Municipal Corporation to send proposal to Government.

8. The Director of Town & Country Planning, Hyderabad/ Commissioner, Anantapur Municipal Corporation shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. VIJAY KUMAR
SECRETARY TO GOVERNMENT**

To
The Director of Town & Country Planning, Hyderabad.
The Commissioner, Anantapur Municipal Corporation,
Anantapur.

Copy to:
The Director of Municipal Administration, Hyderabad.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER